

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TRUSTEES OF THE CONSTRUCTION
INDUSTRY & LABORERS HEALTH
& WELFARE TRUST, et al.,

Plaintiff,

vs.

WILLIAMS BROTHER, INC., et al.,

Defendants.

Case No. 2:12-cv-00810-KJD-NJK

ORDER GRANTING MOTION
TO WITHDRAW AS COUNSEL
(Docket No. 16)

On February 22, 2013, the Court issued a minute order scheduling a hearing on Pengilly Robbins Slater's motion to withdraw as Defendants' counsel. Docket Nos. 16, 17. The Court held the hearing as scheduled, but neither Defendant appeared as ordered. For the reasons stated at the hearing and for good cause shown, the Court **GRANTS** that motion to withdraw.¹ Not later than March 1, 2013, Defendants' withdrawing counsel of record, Robert Robbins, is **ORDERED** to serve this order on Defendants Michael Peek and Williams Brother, Inc. And to file a proof of service.

Defendant Michael Peek is hereby **ORDERED** to file, no later than March 26, 2013, a certification that he will be proceeding in this case *pro se* or an appearance of newly retained counsel. If no such certification or appearance is made, the Court will recommend that default judgment be entered against Defendant Michael Peek. The Court hereby **CONTINUES** the deadline for Mr. Peek to oppose the motion for summary judgment until 14 days after such certification or appearance is made.

¹ Certain aspects of this Order conflict with rulings made orally at the February 26, 2013 hearing. This Order supersedes any rulings made at the hearing that conflict with this Order.

1 In light of the Court granting the motion to withdraw as counsel, Defendant Williams
2 Brother, Inc. is not currently represented by counsel. Corporations may appear in federal court only
3 through licensed counsel. *United States v. High Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th
4 Cir. 1993). As such, Williams Brother, Inc. is hereby **ORDERED** to retain counsel and have
5 counsel enter a notice of appearance in this case no later than March 26, 2013. If no such notice is
6 made, the Court will recommend that default judgment be entered against Williams Brother, Inc.
7 The Court hereby **CONTINUES** the deadline for Williams Brother, Inc. to oppose the motion for
8 summary judgment until 14 days after such appearance is made.

9 IT IS FURTHER ORDERED that the Clerk of the Court shall:

10 1. Add the last known address of Defendants Williams Brother, Inc. and Michael Peek
11 to the civil docket:

12 6440 Sky Point Drive Suite 140-385
13 Las Vegas Nevada 89131
(702) 219-1413

14 2606 East La Madre Way
15 North Las Vegas, Nevada 89081
(702) 219-1413

16 2. Serve Defendants with a copy of this order at their last known addresses listed above.
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18 IT IS SO ORDERED.

19 DATED: February 26, 2013.

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NANCY J. KOPPE
United States Magistrate Judge
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